

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Joel Jeffrey	Art Unit :	2166
Serial No. :	10/800,217	Examiner :	Mohammad Ali
Filed :	March 12, 2004	Conf. No. :	8570
Title :	WIDE-SPECTRUM INFORMATION SEARCH ENGINE		

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the action mailed January 16, 2007, the applicant elects for prosecution

Group I, claims 1-18,

which the examiner described as being drawn to the segmenting judgment matrix having a plurality of information submatrices, i.e., each term being a word or phrase, classified in class 704, subclass 10.

The election is made with traverse.

“If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.” MPEP § 803 (emphasis added).

In the present case, the examiner cannot plausibly assert that the examiner would be seriously burdened by having to search and examine all the pending claims.

First, this is the third application that the examiner has examined in this family. More specifically, the examiner examined and issued U.S. Patents No. 6,493,711 and 6,708,165. The present application is a continuation of these issued patents. The claims in the present application correspond closely to those of the ‘165 patent, so the burden on the examiner of examining all the pending claims is far from serious.

Second, the justification for the assertion of serious burden is an erroneous classification of claims 1-18 into class 704/10. Subclass 10 of class 704 is defined as follows (emphasis added):

“Dictionary building, modification, or prioritization:

This subclass is indented under subclass 1. Subject matter including a construction, a change, or an orderly arrangement of dictionary, thesauri, or the like.”

Subclass 1 is defined as follows (emphasis added):

“LINGUISTICS:

This subclass is indented under the class definition. Subject matter including means or steps for constructing a word, a phrase, or a sentence in a language.”

Claims 1-18 are clearly not drawn to subclass 1, because they do not relate in any way to “constructing a word, a phrase, or a sentence in a language.” Nor do they relate to subclass 10, because the judgment matrix recited in the claims is not like a dictionary or thesaurus.

Moreover, claims 1-18 are clearly not drawn to class 704, which is defined as follows (emphasis added):

“This is the generic class for apparatus and corresponding methods for constructing, analyzing, and modifying units of human language by data processing, in which there is a significant change in the data [i.e., in the units of human language].

This class also provides for systems or methods that process speech signals for storage, transmission, recognition, or synthesis of speech.

This class also provides for systems or methods for bandwidth compression or expansion of an audio signal, or for time compression or expansion of an audio signal.”

The claims are clearly not drawn to the processing of speech or audio signals. They do relate to the analysis of units of human language; however, the claimed inventions do not recite a significant change in the data, i.e., a significant change in the units of human language.

Instead, claims 1-18 are drawn to subclass 5 of class 707, which is indented under subclass 3 of class 707, the classification to which the examiner has drawn claim 19. Class 707/5 is also the primary classification for the parent ‘165 and ‘711 patents.

For each of the foregoing reasons, the applicant respectfully requests that the restriction requirement be withdrawn.